

17 U.S.C. 1001(7)(D). Rather, the common agent must state how its members or affiliates, who are the actual claimants, fit into the definition of interested copyright party under 17 U.S.C. 1001(7)(A), (B) or (C) in order to satisfy this filing requirement.

Additionally, the Copyright Office requires only a concise statement of the authorization for the filing of the joint claim. See 37 CFR 259.3(d). Copies of the separate, specific and written authorizations should not be filed with the Office.

List of Subjects in 37 CFR Part 259

Claims, Copyright, Recordings.

PART 259—FILING OF CLAIMS TO DIGITAL AUDIO RECORDING DEVICES AND MEDIA ROYALTY PAYMENTS

1. The authority citation for part 259 continues to read as follows:

Authority: 17 U.S.C. 1007(a)(1).

2. Sec. 259.3 is revised to read as follows:

§ 259.2 Time of filing.

(a) *General.* During January and February of each succeeding year, every interested copyright party claiming to be entitled to digital audio recording devices and media royalty payments made for quarterly periods ending during the previous calendar year shall file a claim with the Copyright Office. Claimants may file claims jointly or as a single claim.

(b) *Consequences of an untimely filing.* No royalty payments for the previous calendar year shall be distributed to any interested copyright party who has not filed a claim to such royalty payments during January or February of the following calendar year.

(c) *Authorization.* Any organization or association, acting as a common agent, shall be required to obtain from its members or affiliates separate, specific, and written authorization, signed by members, affiliates, or their representatives, to file claims to the Musical Works Fund or the Sound Recording Fund, apart from their standard agreements, for purposes of royalties filing and fee distribution. Such written authorization, however, will not be required in cases where either:

(1) The agreement between the organization or association and its members or affiliates specifically authorizes such entity to represent its members or affiliates before the Copyright Office and/or the Copyright Arbitration Royalty Panels in royalty filing and fee distribution proceedings; or

(2) The agreement between the organization or association and its members or affiliates, as specified in a court order issued by a court with authority to interpret the terms of the contract, authorizes such entity to represent its members or affiliates before the Copyright Office and/or Copyright Arbitration Royalty Panels in royalty filing and fee distribution proceedings.

Dated: November 24, 1995.

Marilyn J. Kretsinger,
Acting General Counsel.

Approved by:
James H. Billington,
The Librarian of Congress.

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POSTAL SERVICE

39 CFR Part 20

Implementation of International Package Consignment Service

AGENCY: Postal Service.

ACTION: Amendment to interim rule.

SUMMARY: This amendment to International Package Consignment Service (IPCS) provides an additional entry option to IPCS mailers whose plants are more than 500 miles from the John F. Kennedy (JFK) Processing Facility at the JFK International Airport. In the original interim regulations, which took effect December 1, 1994 (59 FR 65961-65971), any mailer whose plant is more than 500 miles from the JFK Processing Facility must present IPCS packages for verification at the mailer's plant and then transport them as a drop shipment to the JFK Processing Facility according to a schedule agreed upon by the mailer and the Postal Service. At the JFK Processing Facility, the Postal Service processes the mailer's IPCS packages and dispatches them by air to Japan.

Although that entry option remains available to all qualifying IPCS mailers, an alternative option has been developed that allows mailers to share some of the processing of the mail and to avoid transporting the packages to the JFK Processing Facility. Under this alternative option, those mailers whose plants are more than 500 miles from the JFK Processing Facility, and who choose to do so, may process their IPCS packages, using Postal Service-provided workstations to sort and prepare the packages as required by the Postal Service. The Postal Service then verifies and accepts the packages at the mailers' plants and transports the packages by

truck to the nearest Postal Service air mail facility (AMF) according to a schedule agreed upon by the mailer and the Postal Service. From the AMF, the Postal Service dispatches the IPCS packages directly to Japan, bypassing the JFK Processing Facility. Under this option, mailers save the cost of transporting their packages to the JFK Processing Facility, and the Postal Service saves the cost of processing and sorting individual packages. The interim implementing regulations are amended and set forth below for comment before their adoption in final form.

DATES: The amended interim regulations took effect September 1, 1995.

Comments must be received on or before January 2, 1996.

ADDRESSES: Written comments should be mailed or delivered to International Business Unit, U.S. Postal Service, 475 L'Enfant Plaza SW, Room 4400-E, Washington, DC 20260-6500. Copies of all written comments will be available at the above address for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Frank Richards, (202) 268-5743.

SUPPLEMENTARY INFORMATION: International Package Consignment Service (IPCS) provides a mailing service that meets the needs of mail-order companies and other mailers that send merchandise packages from the United States to multiple international addresses. Currently, IPCS is available only to Japan.

IPCS benefits all users of other services provided by the Postal Service by decreasing the total revenue that the Postal Service needs to recover from those services. At the same time, IPCS makes it easier and more economical for mail-order companies and other mailers in the United States to export their products to international markets.

After the December 1, 1994, implementation of IPCS (59 FR 65961-65971), the Postal Service determined that it could further reduce costs and improve service by allowing mailers to share the package processing workload if they met certain conditions. An alternative entry option was thus conceived for those mailers that had transportation costs associated with IPCS and that agreed to share the processing workload of their IPCS packages.

A mailer that wishes to use this alternative entry option for IPCS will be required to enter into a service agreement with the Postal Service that provides the same commitments as required of all other IPCS mailers. In

addition to those commitments, the mailer will be required to install and use Postal Service-provided workstations to process IPCS packages and to sort and prepare them for dispatch, as the service dictates.

The Postal Service hereby amends IPCS to Japan to allow an alternative entry option for those qualifying mailers whose plants are more than 500 miles from the JFK Processing Facility.

Although 39 U.S.C. 407 does not require advance notice and opportunity for submission of comments, and the Postal Service is exempted by 39 U.S.C. 410(a) from the advance notice requirements of the Administrative Procedure Act regarding proposed rulemaking (5 U.S.C. 553), the Postal Service invites interested persons to submit written data, views, or arguments concerning this amendment to the interim rule.

List of Subjects in 39 CFR Part 20

International postal service, Foreign relations.

The Postal Service adopts the following amendments to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

PART 20—[AMENDED]

1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

2. Subchapter 620 of the International Mail Manual is amended as follows:

620 International Package Consignment Service

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625 IPCS Service Agreements

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625.2 Required Provisions

Each service agreement must contain the following:

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d. For a mailer processing packages at the mailer's plant, the mailer's commitment to use Postal Service-provided workstations to process all IPCS packages and to sort and prepare those packages for dispatch as specified by the Postal Service.

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626 IPCS to Japan

626.1 Description

626.11 General

IPCS to Japan provides the mailer with three delivery options and with preparation by the Postal Service (or on

Postal Service-provided equipment) of the customs forms required by Japan Post.

626.12 JFK Processing Facility

All IPCS packages processed by the Postal Service are processed at, and dispatched to Japan from, a dedicated facility (the JFK Processing Facility) at JFK International Airport.

626.13 Delivery Options

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626.132 Standard Air Service. Packages sent as Standard Air Service are transported by air to Japan, where they enter Japan Post's domestic airmail system for delivery. The mailer can track Standard Air Service packages through dispatch from the JFK Processing Facility or the appropriate air mail facility.

626.133 Economy Air Service. Packages sent as Economy Air Service are transported by air to Japan, where they enter Japan Post's domestic surface mail system for delivery. The mailer can track Economy Air Service packages through dispatch from the JFK Processing Facility or the appropriate air mail facility.

626.2 Acceptance

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626.22 More Than 500 Miles From JFK

626.221 Drop Shipment to JFK. If the plant at which the mailer's IPCS packages originate is more than 500 miles from the JFK Processing Facility, the mailer may present the packages for verification at the plant and transport them as a drop shipment to the JFK Processing Facility for acceptance according to a schedule agreed upon by the mailer and the Postal Service.

626.222 Transport to Air Mail Facility. Alternatively, the mailer may process the packages, using Postal Service-provided workstations, and prepare dispatches as specified by the Postal Service. The Postal Service verifies and accepts the dispatches at the mailer's plant according to a schedule agreed upon by the mailer, and the Postal Service transports the packages to an appropriate air mail facility for dispatch to Japan.

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627 Customs Forms Required

The mailer is not normally required to affix customs forms to IPCS packages sent to Japan if the packages are processed at the JFK Processing Facility. In such cases, the Postal Service prints the necessary customs forms, based on the package-specific information transmitted by the mailer, and affixes

the forms to the packages. If the packages are processed at the mailer's plant on Postal Service-provided workstations, those workstations print the necessary forms that the mailer normally affixes to the packages. During the interim period in which the Postal Service and the mailer are establishing the information system linkages to enable the Postal Service to accomplish this, the mailer must affix the appropriate customs forms to the packages, as follows:

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628 Preparation Requirements

628.1 Express Service

628.11 Processing at JFK

Every package sent through Express Service must bear a label identifying it as an Express Service package. The mailer is not normally required to affix this label when such packages are processed at the JFK Processing Facility. In this case, the Postal Service prints the necessary label and affixes it to the Express Service package. During the interim period in which the Postal Service and the mailer are establishing the information systems linkages to enable the Postal Service to accomplish this, the mailer is required to affix to every Express Service package Label 11-B, Express Mail Post Office to Addressee, or an alternative label as directed by the Postal Service.

628.12 Processing at Mailer's Plant

When packages are processed at the mailer's plant on Postal Service-provided workstations, the workstations print the necessary label, and the mailer affixes it to the Express Service package.

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A transmittal letter making the changes in the International Mail Manual will be published and transmitted automatically to subscribers. Notice of issuance of the transmittal letter will be published in the Federal Register as provided by 39 CFR 20.3.

Stanley F. Mires,

Chief Counsel, Legislative.

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